



Michigan Department of Natural Resources

**ACCESSIBILITY LAW, MANDATES,
REGULATIONS, GUIDELINES,
ORDERS AND PROCEDURE
FOR
HUNTING AND FISHING**

**NRC POLICY COMMITTEE ON FISH AND WILDLIFE
LANSING, MICHIGAN**

**Michigan Department of Natural Resources
Human Resources**

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I. RESOURCES

The Department lists opportunities for hunters with disabilities on the Department webpage. To access this information, a person clicks on the link "Hunting" on the left side of the home page and then on "Hunters with disabilities" on the left side of the page. There are 10 topics under the heading of "Hunters with Disabilities," including six (6) wildlife and game area maps.

Hunter education instructors are given hands-on instruction in teaching shooting sports to persons with disabilities, and a book on the subject is provided to all instructors.

Numerous opportunities are offered for sportspersons with disabilities through statute, and through authority delegated to the Natural Resources Commission under PA 451 of 1994, the Natural Resources and Environmental Protection Act. Notations below indicate statute (MCL) and commission order (WCO) citations as appropriate.

A pamphlet is available to the public entitled *Michigan Hunting and Fishing Information for Persons with Disabilities*.

Hunting <http://www.michigan.gov/dnr/0,1607,7-153-10363---,00.html>

Fishing <http://www.michigan.gov/dnr/0,1607,7-153-10364---,00.html>

This pamphlet has information on the following opportunities, along with information on how to obtain the permits:

- Permit to Hunt from a Standing Vehicle - MCL 324.40114(1)
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-37448--,00.html
- Permit Application:
http://www.michigan.gov/documents/PR9134_SPECIAL_HUNT_APPL_27240_7.pdf
- Permit to Hunt with a Modified Bow - MCL 324.40114(2)
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-37454--,00.html
- Permit to Hunt with a Crossbow - WCO 5.95
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-31954--,00.html
- Permit Application
http://www.michigan.gov/documents/crossbowapplication_41526_7.pdf
- Permit Instructions
http://www.michigan.gov/documents/crossbowletter_75728_7.pdf
- Off-Road Vehicle (ORV) affidavits for certain persons with disabilities - DNR Law Enforcement Division (LED) Policy
- Physician Certification ORV Privileges For Persons With A Disability
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-37458--,00.html
- Fishing license exemptions for persons with mental disabilities - MCL 324.43515
<http://www.michigan.gov/dnr/0,1607,7-153-10364-37460--,00.html>
- Senior citizen fishing licenses for legally blind residents -MCL 324.43537(1)
<http://www.michigan.gov/dnr/0,1607,7-153-10364-37460--,00.html>

- Senior citizen license eligibility for veterans with 100% disability - MCL 324.43537(2)
<http://www.michigan.gov/dnr/0,1607,7-153-10364-37460--,00.html>

Other opportunities afforded to hunters with disabilities, not listed in the pamphlet, include:

- The use of laser sights for blind hunters, while accompanied by a sighted hunter - WCO 2.4a
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-31956--,00.html
- The use of a crossbow to take game during open seasons by a blind hunter - WCO 2.4a
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-31954--,00.html
- Permit Application
http://www.michigan.gov/documents/crossbowapplication_41526_7.pdf
- Permit Instructions
http://www.michigan.gov/documents/crossbowletter_75728_7.pdf
- Special exemptions on blind placement for hunters with disabilities
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-31685--,00.html
- A 2-day firearm deer season on private lands for holder(s) of Permit to Hunt from a Standing Vehicle.

II. FEDERAL LEGAL AUTHORITY AND GUIDELINES FOR OPPORTUNITIES FOR PERSONS WITH DISABILITIES

- Section 504 of /Rehabilitation Act of 1973 and Implementing Regulations
<http://www.dol.gov/oasam/regs/statutes/sec504.htm>
- Americans with Disabilities Act of 1990 (ADA) and Implementing Regulations
<http://www.adagreatlakes.org/ADA/>

Implementing Regulations: not approved by U.S. Department of Justice yet:

- U.S. Access Board
 - Accessible Boating Facilities 2003
 - Accessible Fishing Piers & Platforms Of 2003
<http://www.access-board.gov/outdoor/outdoor-rec-rpt.htm>
- Americans with Disabilities Act and Architectural Barriers Act Accessibility Guidelines July 23, 2004, United States Access Board
<http://www.access-board.gov/ada-aba/final.htm>
- Implementing Regulation: Americans with Disabilities Act Accessibility Guidelines of 2002 (ADAAG)
<http://www.access-board.gov/adaag/html/adaag.htm>
- ADA Accessibility Guidelines for Play Areas 2001
- Outdoor Developed Areas, 1999 Final Report; Recommendations for Accessibility Guidelines
<http://www.access-board.gov/outdoor/outdoor-rec-rpt.htm>
- *Accessible Temporary Events A Planning Guide*, from NC State University, The Center of Universal Design
- USDA Forest Service Draft Guidelines 2004
- *Outdoor Recreation Accessibility Guidelines*, Outdoor Recreation Accessibility Guidelines Draft 2004
- *USDA Forest Service Trail Accessibility Guidelines*, Draft 2004
<http://www.fs.fed.us/recreation/programs/accessibility/>

III. MICHIGAN PUBLIC ACTS AND CONSERVATION ORDERS

- Persons with Disabilities Civil Rights Act, Michigan PA 220 of 1976
http://www.michigan.gov/documents/act-220-of-1976_8771_7.pdf
- Public Act 451 of 1994 and Wildlife Conservation Orders
[http://www.legislature.mi.gov/\(4srnwbqtf2psca4524fmfg55\)/mileg.aspx?page=GetMCLDocument&objectname=mcl-act-451-of-1994&queryid=1013717](http://www.legislature.mi.gov/(4srnwbqtf2psca4524fmfg55)/mileg.aspx?page=GetMCLDocument&objectname=mcl-act-451-of-1994&queryid=1013717)

a. DEFINITIONS

EXCERPT, WILDLIFE CONSERVATION PART, PA 451 OF 1994

This excerpt of statute creates one of several definitions of "disability."

324.40102(8) definitions

(8) "Disability" means a determinable physical characteristic of an individual that may result from disease, injury, congenital condition of birth, or functional disorder.

Hunting Links:

Hunters with Disabilities

<http://www.michigan.gov/dnr/0,1607,7-153-10363---,00.html>

Hunting Guides

<http://www.michigan.gov/dnr/0,1607,7-153-10363---,00.html>

http://www.michigan.gov/dnr/0,1607,7-153-10363_10913---,00.html

Argo Use on State Land

http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-73964--,00.html

State Game Areas with Universally Accessible Features

http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-56750--,00.html

Land Use Rules – Wildlife and Game Areas

http://www.michigandnr.com/publications/pdfs/huntingwildlifehabitat/sga/std_back_rules.pdf

b. MEANS OF TAKING GAME

EXCERPT, WILDLIFE CONSERVATION PART, PA 451 OF 1994

This excerpt from statute delegates authority for determining means of taking game by hunters with disabilities to the Natural Resources Commission.

324.40107 Management of animals; orders of department; procedures for exercising power; revision of order; filing orders to take place of former 1929 PA 286; filing and effective date of orders.

Sec. 40107. (1) The department shall manage animals in this state. In managing animals, the department may issue orders to do all of the following:

(f) Establish lawful methods of taking game for persons who have certain disabilities.

c. PERMIT TO HUNT FROM A STANDING VEHICLE, MODIFIED BOW AND CROSS BOW PERMIT
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-37448--,00.html

EXCERPT, WILDLIFE CONSERVATION PART, PA 451 OF 1994

This excerpt of statute:

- creates the permit to hunt from a standing vehicle for persons who are permanently disabled and unable to walk;*
- creates a permit for modifying a bow for hunters with permanent disabilities who are unable to use a traditional bow;*
- creates the authority for crossbow permit issuance*

324.40114 Permits and licenses; paraplegics, amputees, and permanently disabled; issuance of permit for certain purposes; suspension, revocation, annulment, withdrawal, recall, cancellation, or amendment of permit; disposition of fees.

Sec. 40114. (1) The department may issue a permit to a person who is unable to walk due to being a paraplegic or an amputee, or being permanently disabled and unable to walk because of other disease or injury. A permit issued under this subsection authorizes the person to take game during the open season for that game, including deer of either sex, from or upon a standing vehicle if that person holds a license to take that game issued pursuant to part 435 and complies with all other laws and rules for the taking of game.

(2) The department may issue a permit to a person who is permanently disabled and who has full use of only 1 arm and who upon investigation is unable to hold, aim, and shoot a bow. A permit issued under this subsection authorizes the person to take game during the open season for that game with a bow that has been modified so that the bow may be held, aimed, and shot with 1 arm, if that person holds a license to take that game issued pursuant to part 435 and complies with all other laws and rules for the taking of game.

(3) In addition, the department may issue permits authorizing 1 or more of the following:

(g) The taking of game with a crossbow by a person who is permanently disabled as provided in section 40115.

d. HUNTING BLINDS ON PUBLICLY OWNED LAND
http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-31685--,00.html

EXCERPT, WILDLIFE CONSERVATION ORDER

The following excerpt from the order provides additional leeway to hunters with certain disabilities, as defined in the section, in the placement of hunting blinds on publicly owned lands.

2.10 Handicapped person defined; handicapped persons use of temporary blinds on publicly owned lands, conditions for use; exception for a person assisting a handicapped person.

Sec. 2.10. For the purposes of this section, a handicapped person shall mean a person issued a permit to hunt from a standing vehicle under the authority of section 40114 of part 401, wildlife conservation, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.40114 of the Michigan Compiled Laws, a person issued a handicapped permit by the department of state which entitles that person to the privileges bestowed by section 675 of Act No. 300 of the Public Acts of 1949, being section 257.675 of the Michigan Compiled Laws, or a handicapped person as defined by section 81101 of part 811, off-road recreational vehicles, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.81101 of the Michigan Compiled Laws.

(1) Notwithstanding the provisions of section 2.9, a handicapped person may place, use, and occupy a temporary blind constructed of manufactured materials which is left overnight on publicly owned lands if all of the following conditions are met:

(a) The person has first etched, engraved, implanted, burned, printed, or painted on the blind the name and address of the person placing the blind on publicly owned lands in legible English. It shall be unlawful for a person to affix a fictitious name or address to a blind, or remove a name or address from a blind until after the blind is removed from publicly owned lands.

(b) The blind is a temporary blind which is manufactured for that purpose and is placed no earlier than 10 days prior to the open hunting season for which it is used and removed at the end of the season for which it is used.

(c) The blind is not affixed or attached to any tree or other natural feature using nails, screws, bolts, lag screws, wire, rope, or any other device or fastener made by a person.

(2) A person who is not a handicapped person may assist a handicapped person in placing or removing a lawful blind on publicly owned land.

History: Am. 9, 1995, Eff. Jan. 1, 1996; Am. 3, 1997, Eff. June 1, 1997.

e. SPECIAL FIREARM SEASON

EXCERPT, WILDLIFE CONSERVATION ORDER

The following excerpt of the order creates a special firearm deer season on a weekend in October each year for those citizens who possess a permit to hunt from a standing vehicle.

3.101 Deer hunting, open seasons; type of deer that may be taken; carrying of firearms; season limit.

(10) A person issued a permit by the department to hunt from a standing vehicle may take deer with a firearm during a 2-day hunt starting the third Saturday in October upon privately owned lands. Except as already provided in section 40114, part 401, wildlife conservation, Act No. 451 of the Public Acts of 1994, being section 324.40114 of the Michigan Compiled Laws, regarding the taking of a deer of either sex, all regulations of state law and this order regarding the taking, possession, transportation, and storage of deer during a firearm deer season shall apply to a person participating in this season.

History: Eff. Mar. 31, 1989; Am. 2, 1989, Eff. Sept. 1, 1989; Am. 18, 1989, Eff. Sept. 1, 1989; Am. 24, 1989, Eff. Dec. 15, 1989; Am. 4, 1990, Eff. Sept. 1, 1990; Am. 6, 1991, Eff. Sept. 1, 1991; Am. 19, 1993, Eff. Sept. 10, 1993; Am. 3, 1994, Eff. Sept. 1, 1994; Am. 3, 1997, Eff. June 1, 1997; Am. 6, 1998, Eff. May 15, 1998.; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 15, 1998, Eff. Sept. 10, 1998; Am. 8, 1999, Eff. Sept. 1, 1999; Am. 2, 2000, Eff. Jan. 14, 2000; Am. 7, 2000, Eff. Sept. 1, 2000; Am. 6, 2001, Eff. June 1, 2001; Am. 8, 2002, Eff. June 8, 2002; Am. 8, 2003, Eff. June 7, 2003; Am. 7, 2004, Eff. June 5, 2004.

f. LASER SIGHTS AND CROSSBOWS

Laser Sighting Devices for Visually Impaired Hunters

http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-31956--,00.html

Permit to Hunt with a Crossbow

http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-31954--,00.html

Permit Application

http://www.michigan.gov/documents/crossbowapplication_41526_7.pdf

Permit Instructions

http://www.michigan.gov/documents/crossbowletter_75728_7.pdf

EXCERPT, WILDLIFE CONSERVATION ORDER

The following excerpt from the order provides blind hunters with the opportunity to use laser sights and crossbows to take game during the appropriate open season.

2.4a Permissible use of a crossbow and laser sighting device by blind person during lawful hunting hours, conditions for use.

Sec. 2.4a. A blind person, as defined by section 1 of Act No. 260 of the Public Acts of 1978, being section 393.351 of the Michigan Compiled Laws, may use a crossbow and laser sighting device to take an animal during the lawful hunting hours for that animal if all of the following conditions are met while the person is taking an animal:

(1) The person is accompanied and assisted by a sighted person. The sighted person must be at least 18 years of age and be in possession of a hunting license issued by this state, another state, a province of Canada, or another country or a certificate of completion of training in hunter safety issued by this state, another state, a province of Canada, or another country, and shall furnish such proof upon the request of a peace officer.

(2) The person possesses proof of blindness in the form of an identification card issued under the authority of section 1 of Act No. 222 of the Public Acts of 1972, being section 28.292 of the Michigan Compiled Laws, and furnishes the proof of blindness upon the request of a peace officer.

History: Am. 3, 1997, Eff. June 1, 1997; Am. 5, 2003, Eff. May 10, 2003.

EXCERPT, WILDLIFE CONSERVATION ORDER

The following excerpt from the order, formerly created in statute, creates the crossbow application and permit process for hunters with specific disabilities.

5.95 Permit to take game with a crossbow.

Sec. 5.95. (1) The department may issue a permit to a person who is certified as being permanently disabled by a physician as provided in this section. That permit shall be issued without cost to the applicant and shall authorize that person to take game with a crossbow during the open season for that game if that person holds a license to take that game issued pursuant to part 435 and complies with all other laws and rules for the taking of game.

(2) An applicant for a permit under this section shall submit to the department a signed certification from a physician indicating that the physician received

from a physical therapist and reviewed and confirmed objective test findings indicating the percentage of disability determined to be present in the permit applicant by the physical therapist. Based on the test findings, the physician may certify that the applicant is permanently disabled as required by this section if the physician finds that the permit applicant has at least 80%, in combination or individual impairment, of a hand, elbow, or shoulder. In support of such a determination, the physician and the physical therapist shall utilize the following standards and criteria:

(a) If applicable, muscle weaknesses with a grade of fair or below for involved upper extremity muscle groups will be used to determine if a person is eligible for a permit under this section. Testing by the physical therapist will use as a guideline "Techniques of Manual Muscle Testing", by Daniels and Worthingham, or other guidelines accepted by the American medical association.

(b) Impaired range of motion. Goniometric measurements using the "American medical association guide to evaluation and permanent impairment rating", or other guidelines accepted by the American medical association.

(c) Peripheral nerve involvement, using the "American medical association guide to evaluation and permanent impairment rating", or other guidelines accepted by the American medical association.

(d) Amputations involving 4 fingers at the proximal interphalangeal joint, wrist, elbow, and shoulder do not require objective test findings. However, the applicant is required to present a physician's diagnosis to be qualified for a permit.

(e) Unilateral hand weakness disabilities. In addition to manual muscle testing, a grip dynamometer, pinch grip, and lateral grip measurements will be used to compare dominant to nondominant hand. A 5% deficit is standard acceptance for the nondominant hand. Bilateral hand weaknesses or bilateral upper extremity weaknesses, or both, are subject to manual muscle testing only.

(f) Any spinal cord injury above the level of C-8, resulting in permanent disability to the lower extremities, leaving the applicant permanently nonambulatory, as diagnosed by a physician, do not require objective test

findings. However, the applicant is required to present a physician's diagnosis to be qualified for a permit.

(g) Coordination assessment. Coordination is the ability to execute smooth, accurate, controlled movement. In coordination or coordination deficit describes abnormal motor function characterized by awkward, extraneous, uneven, or inaccurate movements, caused by central nervous disorders, including, but not limited to, Parkinson's disease, cerebral palsy, hemiplegia, hemiparesis, and closed head trauma; or by progressive neuromuscular diseases, such as muscular dystrophy, multiple sclerosis, and amyotrophic lateral sclerosis. Purpose: to assess the ability of muscles or groups of muscles to work together to perform a task. For safety considerations, this test will eliminate severely impaired applicants from qualifying for a permit.

(3) A person shall not seek diagnosis from a physical therapist or a physician for purposes of meeting the requirements of this section on more than 2 occasions within a 6-month period. If a person seeks a diagnosis from a physical therapist and the results of the testing do not meet the requirements of this section for eligibility for a permit, the person may do either of the following:

(a) Within 30 days of obtaining the test results, seek another opinion from the same or a different physical therapist.

(b) After 180 days or more, seek another opinion from the same or a different physical therapist.

(4) A permit issued under this section to a person who is eligible for that permit because he or she has a progressive neuromuscular disease or a central nervous disorder shall be issued for 2 years and then is renewable only upon reapplication pursuant to this section. All other crossbow permits issued pursuant to this section are valid unless revoked pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

(5) Arrows, bolts, and quarrels used for taking deer, bear, elk, and turkey with a crossbow under a permit issued under this section or as provided in section 2.1 are required to have a broadhead hunting type of point not less than 7/8 of an inch wide and must be a minimum of 14 inches in length.

History: Am. 10, 2001, Eff. July 1, 2001.

g. OFF ROAD VEHICLES

The Handbook of Michigan Off-Road Vehicle Laws

<http://www.offroad-ed.com/mi/handbook/>

Off Road Vehicle Certification of ORV Privileges for Persons with a Disability

http://www.michigan.gov/dnr/0,1607,7-153-10363_10913-37458--,00.html

Physician Certification ORV Privileges For Persons With A Disability

http://www.michigan.gov/documents/PR9137_149462_7.pdf

EXCERPT, OFF-ROAD VEHICLES PART, PA 451 OF 1994

This excerpt of statute defines "persons with disabilities" in the Off-Road Vehicle Part.

324.81101 Additional definitions.

Sec. 81101. As used in this part:

(o) "Person with disabilities" means a person who has 1 or more of the following physical characteristics:

- i. Blindness.**
- ii. Inability to ambulate more than 200 feet without having to stop and rest during any time of the year.**
- iii. Loss of use of 1 or both legs or feet.**
- iv. Inability to ambulate without the prolonged use of a wheelchair, walker, crutches, braces, or other device required to aid mobility.**
- v. A lung disease from which the person's expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or from which the person's arterial oxygen tension is less than 60 mm/hg of room air at rest.**
- vi. A cardiovascular disease from which the person measures between 3 and 4 on the New York heart classification scale, or from which a marked limitation of physical activity causes fatigue, palpitation, dyspnea, or anginal pain.**
- vii. Other diagnosed disease or disorder including, but not limited to, severe arthritis or a neurological or orthopedic impairment that creates a severe mobility limitation.**

EXCERPT, OFF-ROAD VEHICLES PART, PA 451 OF 1994

The excerpt of statute compels the department to consider the needs of persons with disabilities in developing its comprehensive ORV plan.

324.81123 Comprehensive plan for management of ORV use of certain areas, routes, and trails; revision; approval; designation of ORV trails and areas for nonconflicting recreation trail use; designated scramble area; maps of trails.

Sec. 81123. (1) The department shall, by October 1, 1991, develop a comprehensive plan for the management of ORV use of areas, routes, and trails maintained by or under the jurisdiction of the department or a local unit of government pursuant to section 81131. The plan shall, as a minimum, set forth the following methods and timetable:

(c) The designation of areas, forest roads, and forest trails for ORV use, including use by persons with disabilities.

EXCERPT, OFF-ROAD VEHICLES PART, PA 451 OF 1994

The following excerpt of statute provides the opportunity to all hunters in Michigan to use ORVs to retrieve lawfully taken game, including cross-country operation, with certain restrictions.

324.81133 Operation of ORV; prohibited acts.

Sec. 81133. A person shall not operate an ORV:

(j) In an area on which public hunting is permitted during the regular November firearm deer season from 7 a.m. to 11 a.m. and from 2 p.m. to 5 p.m., except during an emergency or for law enforcement purposes, to go to and from a permanent residence or a hunting camp otherwise inaccessible by a conventional wheeled vehicle, to remove a deer, elk, or bear from public land which has been taken under a valid license; or except for the conduct of necessary work functions involving land and timber survey, communication and transmission line patrol, and timber harvest operations; or on property owned or under control of the operator or on which the operator is an invited guest. A hunter removing game pursuant to this subdivision shall be allowed to leave the designated trail or forest road only to retrieve the game and shall not exceed 5 miles per hour. A vehicle registered under the code is exempt from this subdivision while operating on a public highway or public or private road capable of sustaining automobile traffic. A person holding a valid permit to hunt from a standing vehicle issued pursuant to part 401, or a person with

disabilities using an ORV to access public lands for purposes of hunting or fishing through use of a designated trail or forest road, is exempt from this subdivision.

IV. LAW ENFORCEMENT DIVISION PROCEDURE FOR ORV CERTIFICATION

EXCERPT

The following excerpt from Law Enforcement Division procedure creates the certification process for persons with certain disabilities, allowing them to operate ORVs on state forest roads that are otherwise closed to ORV operation.

ORVs - OPERATION BY PERSONS WITH A DISABILITY

Persons that meet one of the following criteria shall be permitted to operate licensed ATVs/ORVs less than 50" wide on all forest roads on state lands (including those not posted open):

1. Those persons issued valid temporary or permanent handicapper parking permits issued by the Michigan Department of State;
2. Those persons holding Permits to Hunt From a Standing Vehicle issued under the authority of Part 401 of 1994 PA 451, Wildlife Conservation;
3. Those persons suffering from the disabilities listed in the definition of "handicapper" within the act, and have had a physician complete and sign a physician's certification (next page). This certification may be copied and distributed by the districts upon request from the public. Certifications do NOT need review or approval by this division following completion.
4. Persons with obvious severe disabilities (i.e. amputee, quadriplegic).

Operation is subject to licensing and all other requirements and restrictions, and shall only be at a speed and in a manner which does not degrade the environment. These privileges are intended only to provide increased access to recreational opportunities for handicappers.

In #s 1 - 3 above we will ask persons enjoying these privileges to carry and display upon request the appropriate documentation. These privileges may extend to one (1) companion of the disabled person serving as operator or passenger of the disabled person's ORV.

Conservation Officers will make every attempt to facilitate reasonable ORV use by persons with a disability and use discretion when confronted with conflicts or persons who cannot provide documentation of their disabilities.

V. HUNTING AND FISHING LICENSE

Fishing License Exemption for Persons with Mental Disabilities

Senior Citizen Fishing License for Legally Blind Residents

Senior Citizen Hunting/Fishing License for Veterans with 100% Disability

<http://www.michigan.gov/dnr/0,1607,7-153-10364-37460--,00.html>

a. FREE FISHING PERMIT

EXCERPT, HUNTING AND FISHING LICENSE PART, PA 451 OF 1994

This excerpt of statute creates a free fishing permit for “mentally retarded” persons and for residents of “homes for the aged.”

324.43515 Permit authorizing mentally retarded person or resident of home for aged to fish without license.

Sec. 43515. The department may issue a permit authorizing a mentally retarded person or a resident of a home for the aged licensed under article 17 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.20101 to 333.22181 of the Michigan Compiled Laws, to fish without a license if the mentally retarded person or the resident of the licensed home for the aged is a member of a group accompanied by 1 or more adults licensed under this part.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995.

b. SENIOR FISHING LICENSE FOR PERSONS WHO ARE BLIND AND VETERANS WITH A DISABILITY

EXCERPT, HUNTING AND FISHING LICENSE PART, PA 451 OF 1994

This excerpt of statute:

-allows a person who is legally blind to purchase a senior fishing license, regardless of age;

-allows a veteran who is 100% disabled to obtain senior hunting and fishing licenses.

324.43537 Restricted or senior all-species fishing license; eligibility of legally blind; proof of blindness; senior hunting or fishing license; eligibility of permanently and totally disabled veteran; proof of eligibility; processing licenses; appropriations.

Sec. 43537. (1) A resident who is declared legally blind is eligible to purchase a senior restricted or senior all-species fishing license. The department may demand proof of blindness. The licensee, when fishing, shall possess proof of blindness and shall furnish the proof upon the request of a peace officer.

(2) A resident who has been determined by the United States department of veterans affairs to be permanently and totally disabled and entitled to veteran benefits at the 100% rate, for a disability other than blindness, is eligible to purchase any senior hunting license as described in section 43535 or any senior fishing license described in section 43536, or both. The department may demand proof of eligibility under this subsection. The licensee, when hunting or taking aquatic species, shall possess proof of his or her eligibility under this subsection and shall furnish the proof upon the request of a peace officer.

VI. ELK HUNTING

http://www.michigan.gov/dnr/0,1607,7-153-10363_10856_10893-26048--,00.html

EXCERPT, WILDLIFE CONSERVATION ORDER

The following excerpt of statute provides a successful applicant in the elk hunt drawing to transfer his/her hunt privilege to a hunter with an advanced illness. A similar provision exists for transferring bear hunting privileges to a person with an advanced illness.

3.5 Elk hunting licenses, procedures; voiding of selection; transfer of drawing success; unlawful acts.

Sec. 3.5. (1) Within 2 weeks upon notification by mail of selection in the drawing, the successful applicant shall purchase an elk hunting license at any license agent within the state or shall transfer their success in the drawing to a qualified minor hunter or a hunter of any age with an advanced illness. Failure to comply with the purchase or transfer requirements of this subsection shall result in the voiding of the applicant's selection and selection of another person to receive an elk hunting license.

(2) It shall be unlawful for a person who transfers their success in the elk lottery to a minor hunter or a hunter with an advanced illness to assist the minor hunter or hunter with an advanced illness in any manner in taking elk for a fee or other consideration or service of value, either directly or indirectly.



APPENDICES
ACCESSIBILITY LAW, MANDATES, REGULATIONS,
GUIDELINES, ORDERS AND PROCEDURE
FOR
HUNTING AND FISHING

1. *Michigan Hunting and Fishing Information for Persons with Disabilities*, Pamphlet
2. *2005 Michigan Hunting and Trapping Guide Regulations* apply August 1, 2005 through July 31, 2006 unless otherwise noted, IC 2000 07/15/2005
 - Information for hunters with Disabilities page 14 (Tab 2A)
3. *Michigan Fishing Guide Rules* apply from April 1, 2006 through March 31, 2008
4. *2005 Michigan Early September Canada Goose Season Hunting Guide*
5. *Important Information Regarding a Special Permit to Hunt* PR-9143E (Rev. 03/04/2005)
6. *Application For Special Permit To Hunt* PR-9134E (Rev. 03/04/2005)
 - Permit To Take Game From A Standing Vehicle (Tab 6A)
 - Permit To Take Game With A Modified Bow (Cannot Be A Crossbow) (Tab 6B)
7. *Department of Natural Resources District Law Enforcement Offices and Counties Under Jurisdiction* PR-913E (Rev. 03/04/2005)
8. *Application/Permit To Take Game With A Crossbow* PR 9410 (Rev. 12/29/2004)
9. *Information And Requirements For Application/Permit To Take Game With A Crossbow*
10. *Physician Certification ORV Privileges For Persons With A Disability* PR9137 (Rev. 05/10/2005)
11. *State Land Rules – (Wildlife and Game Areas)* IC 2598 (rev. 2/03/2006)
12. *The Handbook of Michigan Off-Road Vehicle Laws* 2005 Edition
 - Persons With Disabilities page 44 (Tab 12 A)
13. *2005 Michigan Elk Hunting Guide* IC 2010 (5/2005)
 - Hunters with Advanced Illness (Tab 13A)
14. *Michigan Wild Turkey Hunting Guide 2006 Spring Season* IC 2007 (12/15/05)
 - Special Opportunities for Disabled Hunters (Tab 14A)
15. *2005 Michigan Bear Hunting Guide* IC 2004 (3/15/2005)
 - Hunters with Advanced Illness (Tab 15A)